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May 21, 2004

Express Mail

Ms. Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, S.W., Room TW-A325 Washington, DC 20554

Re:

Amendment of TV Table of Allotments

Ponce, Puerto Rico MB Docket No. 04-78

RM 10866

Dear Ms. Dortch:

Submitted herewith on behalf of Siete Grande Television, Inc. ("Siete Grande") are an original and four copies of its <u>Comments</u> on the Commission's above-referenced <u>Notice of Proposed Rule Making</u> to amend the TV Table of Allotments to substitute DTV channel 8 for DTV channel 66 in Ponce, Puerto Rico. The <u>Notice</u> was issued pursuant to a <u>Petition for Rule Making</u> filed on January 6, 2004 by Siete Grande, which the <u>Comments</u> incorporates by reference. The <u>Comments</u> expresses Siete Grande's intention to apply for the channel if it is allotted and, if authorized, to build a station promptly.

Copies of any comments on the attached filing should be served on the undersigned at the New York offices of this firm. Kindly acknowledge receipt of this filing by date stamping the extra copy of this transmittal letter and returning same to the undersigned in the self addressed envelope provided herewith.

Very truly yours,

Stuart A. Shorenstein

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cc:

Enclosure

Ms. Barbara Kreisman

DSN 225809 1/SIE030-184441

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## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

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In the Matter of the	)	
	)	MM Docket No. 04-78
Amendment of Section 73.622(b)	)	RM No. 10866
Table of Allotments,	)	
Digital Television Broadcast Stations.	)	
(Ponce, Puerto Rico)	)	

To: Secretary, FCC

## COMMENTS OF SIETE GRANDE TELEVISION, INC.

Siete Grande Television, Inc. ("Siete Grande"), by it attorneys, hereby submits its

Comments on the Commission's Notice of Proposed Rule Making ("NPR") released April 2,

2004 in the above-referenced rulemaking proceeding. With respect thereto Siete Grande states as follows:

- The NPR was issued in response to a <u>Petition for Rulemaking</u> filed by Siete Grande on January 6, 2004. The <u>Petition for Rulemaking</u> seeks the substitution of DTV channel 8 in Ponce, Puerto Rico, for channel 66, the DTV channel originally assigned to WSTE-TV. The <u>Petition for Rulemaking</u> and the accompanying engineering statement in support thereof are expressly incorporated by reference herein.
- 2. As the NPR states, the proposed channel substitution is in full compliance with the principal community coverage requirements and <u>de minimis</u> interference requirements of the Commission's Rules. The substitution will replace an out of core channel with one that is within

the core. The substitution will permit Siete Grande to conserve its resources by building the

DTV station (the one on Channel 8) during the transition rather than two stations at different site

locations. Siete Grande expressly reiterates its intention to apply for channel 8, if authorized,

and to build a station promptly. To that end it has located a new site on which it will co-locate

its analog and DTV antenna. An application will be filed for the new DTV facilities on channel

8 at the new site location promptly upon the adoption of the Commission's order amending the

TV Table of Allotments to substitute channel 8 for channel 66 at Ponce, Puerto Rico.

3. The amendment of the Table of Allotments will help facilitate a more efficient

use of the spectrum The substitution can be made without affecting the existing channel

assignment of any other Commission licenses or properties in Puerto Rico. Hence, since a

channel change for WSTE-TV's existing DTV allocation ultimately will become necessary, the

proposed substitution serves the public interest since it will enable the earlier return of spectrum

on out of core frequencies. Because WSTE-TV's construction permit to build facilities on

channel 66 expires on September 30, 2004, expedited action on this rulemaking proposal

respectfully is requested.

Respectfully submitted,

SIETE GRANDE TELEVISION, INC.

Stuart A. Shorenstein

Wolf, Block, Schorr & Solis-Cohen LLP

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Dated: May H, 2004

## **CERTIFICATE OF SERVICE**

I, Doris Wooley, a secretary in the law offices of Wolf, Block, Schorr and Solis-Cohen, hereby certify that I have this 21st day of May, 2004, sent by first class U.S. mail, postage prepaid, copies of the foregoing Comments of Siete Grande Television, Inc. to the following

Ms. Barbara A. Kreisman Chief, Video Division Media Bureau Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554.

Doris Wooley

Doris Wooley